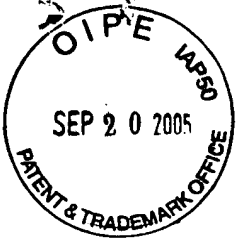


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Certification Of Express Mail Transmittal

I hereby certify that this paper is being transmitted to the U.S. Patent and Trademark Office pursuant to 37 C.F.R. 1.10 by Express Mail Label No. EV732741630US on September 20, 2005.

Jodi Cantor  
Jodi Cantor

Attorney Docket No.: 100809-00085 (SCEI 19.066)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : Takashi ENOKIHARA  
Serial No. : 10/044,852  
Filed : November 7, 2001  
Title : **OPTICAL DISK DEVICE AND ITS CONTROL METHOD**  
Examiner : Aristotlelis M. Psitos  
Group Art Unit : 2653

September 20, 2005

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(c) TO OBVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT**

S I R:

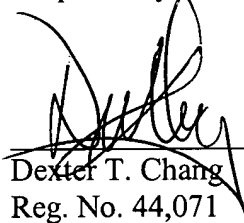
PETITIONER, Sony Computer Entertainment Inc., is the owner of 100% interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent no. 6,826,134, issued November 30, 2004. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The Commissioner is hereby authorized to charge the petition fee set forth in 37 C.F.R. § 1.20(d), as well as any other fee that may be due, on Deposit Account No. 50-1290.

Any inquiries regarding the current petition may be directed to Applicant's undersigned attorney of record, who may be reached directly by telephone at (212) 940-6384.

Respectfully submitted,



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